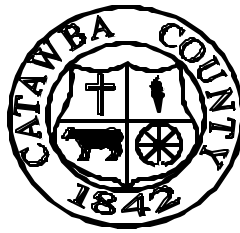


MANUAL OF PRACTICE

CATAWBA COUNTY, NC



A MANUAL FOR SUBDIVISION DEVELOPMENT

April 9, 2002

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January 3, 2003, June 18, 2003

“Keeping the Spirit Alive Since 1842!”

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I. INTRODUCTION

The *Catawba County Manual of Practice* is to be used in conjunction with the *Catawba County Subdivision Ordinance*. The Subdivision Ordinance contains the legal regulations for subdividing property in Catawba County. The Manual of Practice is a booklet that contains the administrative requirements to process a subdivision. Anyone going through the subdivision process should first obtain a copy of the *Catawba County Subdivision Ordinance* to determine the category of subdivision. The *Catawba County Manual of Practice* will be useful in obtaining the required certificates and forms needed to process the plan. Included in this Manual are some of the definitions from the *Catawba County Subdivision Ordinance* Section 514.002. For complete definitions, refer to the *Catawba County Subdivision Ordinance*.

II. SUBDIVISION DEFINITION

A subdivision of land includes all divisions of a tract or parcel of land, into two or more lots, building sites or other divisions, for the purposes of sale or building development, (whether immediate or future), and shall include all divisions of land involving the dedication of a new street or a change in existing streets...

NOTE: Some types of land division are exempt from subdivision review and are discussed in this Manual.

III. SUBDIVISION REVIEW PROCESS

Subdivisions are either reviewed by planning staff, the Subdivision Review Board (SRB), or a combination of planning staff and the SRB. Family, Estate Settlements and Minor Subdivisions are reviewed in one process as a final plat by planning staff. Major Subdivisions are reviewed in two stages: preliminary and final plans. The preliminary plat is reviewed by the SRB and the final plat is reviewed by the planning staff provided it received approval from the SRB. Someone representing the Major Subdivision plan should attend the SRB meeting.

A. Sketch Plan

Submitting a "Sketch Plan" to the SRB for review prior to submitting a preliminary major plan is recommended. A Sketch Plan differs from a preliminary plan in that road plans (profiles), other infrastructure plans (if applicable) and erosion control plans (if applicable) are not required to be submitted with a Sketch Plan. This can be helpful with some developments when road design/location is questionable. A Sketch Plan can prevent unnecessary road design costs and allow feedback from the SRB prior to submitting a formal preliminary design. A preliminary plan still has to be submitted to the SRB for review after a Sketch Plan is approved. Someone submitting a Sketch Plan for review should use the Application Checklist for Preliminary Review of Major Subdivision. If the Sketch Plan is approved by the SRB it will contain conditions for preliminary approval to meet North Carolina Department of Transportation (NCDOT) and other applicable government agency approvals.

Even if a Sketch Plan is not submitted, you should schedule to meet with a Planner to discuss your development before you submit application items. Issues such as topography of land, interconnectivity with adjoining parcels, lot configurations, available utilities, recent Ordinance Amendments and other items can be discussed which can help guide your development.

IV. FAMILY SUBDIVISION PROCEDURES/FORMS

A. Family Subdivision Definition (plat requires recordation)

A subdivision where lots are conveyed to or developed for building purposes by members of the lineal family. Lineal family shall include only direct lineal descendants (children, grandchildren, great-grandchildren), direct lineal ascendants (father, mother, grandfather, grandmother) and spouses. Lots can be conveyed as a gift, as settlement of the property owner's estate or for nominal consideration.

The tract where a residential structure is located will not be considered a new lot and only lots that must use the legal right-of-way for direct access will be considered new lots.

B. Types of Family Subdivisions:

1. *Level 1 Family Subdivision* - The creation of not more than two building lots, after the effective date of the revised chapter 514.002 of the *Catawba County Subdivision Ordinance*, for members of the lineal family.

2. *Level 2 Family Subdivision* - The creation of more than two building lots, but less than six building lots, after the effective date of the revised chapter 514.002 of the *Catawba County Subdivision Ordinance*, for members of the lineal family.

NOTE: See the *Catawba County Subdivision Ordinance* for road construction requirements for Level 2 Family Subdivisions.



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C. Application Checklist for Review of Family Subdivision

North Carolina (NC) General Statutes 153A-330 and 153A-335, and the County Subdivision Regulations require building sites or other divisions of land to be mapped by a NC Registered Land Surveyor. The map must be approved by the County and recorded in the Office of the Register of Deeds. NO ZONING, SEPTIC TANK, or BUILDING PERMIT will be issued until each newly created piece of property has been mapped, approved, and recorded. In order to properly comply with North Carolina State Law, the following items must be completed in the order outlined below:

- ___1. Contact a Planner for the County to make sure that the division of property planned is a Family Subdivision. Call the Planning Department at (828) 465-8380 to schedule an appointment.
- ___2. Contact an NC Registered Land Surveyor and discuss with him/her the plans. Have the surveyor prepare a map showing how the property is to be divided.
- ___3. Have the surveyor stake the corners and number each new parcel of land.
- ___4. Schedule an appointment with a Planner and bring four (4) paper copies of your survey for review. Three (3) copies are for the Planning Department review and one (1) copy is for the Environmental Health Department review.
- ___5. Visit the Catawba County Permit Center and make arrangements with them to conduct lot evaluations for wells and/or septic systems on all lots shown on the map.
- ___6. After tests have been completed by the Environmental Health Department, obtain an approval form and bring the form to the Planning Department.
- ___7. After the Planning Department has reviewed the paper copy of your subdivision plan, schedule an appointment with a Planner and bring one (1) final paper copy and one (1) final "Mylar" of your plat (recordable size 18" x 24"). A final copy must include all required corrections.
- ___8. A review fee must be paid. (cash or check made out to **Catawba County**). See Catawba County Fee Schedule for current fee.
- ___9. A recording fee must be paid. (cash or check made out to **Catawba County Register of Deeds**). This check cannot be combined with any other fees due.

Applicant Signature

Date

- ___10. A Planner will approve the map and record the mylar at the Register of Deeds office once all the above steps have been completed.



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D. Lineal Family Members Statement

I hereby acknowledge that I have created the Family Subdivision titled

I have read and understand and agree to abide by the *Catawba County Subdivision Ordinance* as it pertains to the creation of lots for lineal family members. The purpose for creating a Family Subdivision is to have my lineal family member homestead on the new lot. I realize if lots are created for people other than lineal family members, then the provisions for a Minor or Major Subdivision is to be followed as outlined in the *Catawba County Subdivision Ordinance*. One of the provisions requires that each lot have existing frontage connecting to a North Carolina Department of Transportation (NCDOT) maintained road (as per the *Catawba County Zoning Ordinance*), or a road must be built to NCDOT standards so that it can be added to the NCDOT maintenance system.

I further acknowledge that my lineal family members who will be homesteading on the newly created family lots are:

- | | |
|--------------------|--|
| 1. _____ (Name) | _____ Lot#_____, and (Relationship) |
| 2. _____ (Name) | _____ Lot#_____, and (Relationship) |
| 3. _____ (Name) | _____ Lot#_____, and (Relationship) |
| 4. _____ (Name) | _____ Lot#_____, and (Relationship) |
| 5. _____ (Name) | _____ Lot#_____, and (Relationship) |

I am also aware that Catawba County defines a Manufactured Home Park as a piece of land held in single or corporate ownership and developed in a unified manner for the placement of three or more manufactured homes to be occupied for living and sleeping purposes.

Owner

Date

STATE OF NORTH CAROLINA COUNTY OF CATAWBA

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the ____ day of _____, 20____

Notary

My commission expires
_____, 20____

(Seal)

E. Family Subdivision Plat Information Requirements

As part of the application checklist for a Family Subdivision, a final plat is required for recordation in the Catawba County Register of Deeds Office. The final plat shall be drawn on mylar material on a sheet eighteen (18) inches by twenty-four (24) inches. Black ink is required for all signatures on the mylar. The final plat must conform to the most recent edition of G.S. 47-30 and *Standards of Practice for Land Surveying in North Carolina*. The final plat must show **all of** the following:

1. Subdivision name or current property owner
2. Name and address of landowner(s)
3. Name and address of owner's agent, if applicable
4. Name, address, North Carolina registration numbers and seals of surveyor and engineer
5. Location map showing subdivision in relation to major roads or other obvious references
6. Date of survey
7. Township and County
8. Parcel Identification Number (PIN)
9. County zoning classification
10. North arrow
11. Scale, no smaller than 1"=200', shown graphically and in text
12. Courses and distances of the perimeter of the land proposed for platting, based upon field survey
13. Total acreage of land proposed for platting
14. Acreage of each lot (excluding street right-of-ways)
15. Names of owners of adjacent property, names of adjacent subdivisions and identification of publicly owned land, if applicable
16. Names and rights-of-way widths of all streets within land proposed for platting - refer to the *Catawba County Addressing Guide* for appropriate descriptions of new streets
17. Names and rights-of-way widths of all adjacent public streets
18. Location and use of all existing and proposed easements including easements for drainage and utilities
19. Curve data as specified in G.S. 47-30
20. Location of points of intersection where circular curves are not used
21. All property lines with bearings, arch lengths, chord lengths, (indicated by dashed lines), as appropriate
22. Reference to at least one known point shown on the North Carolina State Plane Grid System as per G.S 47-30
23. Lots to be numbered
24. Location and type of survey markers installed within subdivision
25. For lots located in Flood Hazard Zones, the Flood Hazard Zone location, designation flood panel number and elevation where Federal Emergency Management Association (FEMA) study completed
26. Control corner(s)
27. Location of all existing structures
28. Watershed designation
29. Plat certificates (see pages 9-10)

F. Certificates for Family Subdivision Plat

Page 1 of 2

Ownership and Dedication Certificate for Individual Owners

I (We) certify that: I am (We are) the owner(s) of the property described hereon, which property is located within the subdivision regulation jurisdiction of Catawba County, that I (We) freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat such as streets, alleys, walks, parks, open space, and easements, except those specifically indicated as private, and that I (We) will maintain all such areas until the offer of dedication is accepted by the appropriate public authority. All property shown on this plat, dedicated for public use, shall be deemed to be dedicated for any other public use authorized by law when such other use is approved by Catawba County.

Owner_____
Date_____
Owner_____
Date**AND;****Public Plat Declaration**

All roads in this subdivision are hereby declared public. The maintenance of all streets and roads in this subdivision shall be the responsibility of _____ and it shall be their responsibility to bring such streets up to the standards of the North Carolina Department of Transportation before any streets on this plat are added into the North Carolina State Highway System.

Owner/Subdivider_____
Date**AND;****Acknowledgement Certificate for Family Subdivision**

I acknowledge that this plat was approved under the provisions of a Family Subdivision and any further subdividing of any of these parcels beyond a Level I Family Subdivision, as defined in Section 514.002 of the Catawba County Subdivision Ordinance, shall require road improvements, in accordance with the Catawba County Subdivision Ordinance.

Owner/Subdivider_____
Date**AND;****STATE OF NORTH CAROLINA COUNTY OF CATAWBA**

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the ____ day of _____, 20__

Notary

My commission expires

(Seal)

_____, 20__

| | |
|---|--|
| AND; | |
| <u>Surveyors Certificate of Survey and Accuracy</u> I _____, certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book __, page __, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book __, page __; that the ratio of precision as calculated is 1: __; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this __ day of _____, A.D., 20 __ | |
| Seal or Stamp | _____ Surveyor, Registration Number |
| And; | |
| The survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land. _____ Surveyor | |
| AND; | |
| <u>One of the following:</u> <u>Watershed Notation</u> The parcels of land as shown on this plat are located in the _____ watershed. OR; <u>Watershed Notation</u> The parcels of land as shown on this plat are not located in a watershed. | |
| AND; | |
| <u>One of the following:</u> <u>Flood Plain Notation</u> The parcels of land as shown on this plat are located in a 100-year flood plain FEMA Panel Number ____. OR; <u>Flood Plain Notation</u> The parcels of land as shown on this plat are not located in a 100-year flood plain. | |
| AND; | |
| <u>Approval Certificate for Family Subdivision Plat</u> I certify that the subdivision plat shown has been found to comply with the Subdivision Regulations of Catawba County and is approved for recording in the Office of the Register of Deeds of Catawba County within sixty days of the date of this approval. <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">_____ Director of Planning or Designee</div> <div style="width: 40%;">_____ Date</div> </div> | |
| AND; | |
| <u>Review Officer Certificate</u> State of North Carolina, County of Catawba I, _____, Review Officer of Catawba County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording. <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">_____ Review Officer</div> <div style="width: 40%;">_____ Date</div> </div> | |

V. MINOR SUBDIVISION PROCEDURES/FORMS

A. Minor Subdivision Definition (plat requires recordation)

A non-Family Subdivision where:

1. Five or fewer lots are created that front along an existing North Carolina Department of Transportation (NCDOT) State maintained road or;
2. Five or fewer lots are created that front along a minimum 45-foot dedicated right-of-way that was platted and recorded prior to September 30, 1975 or;
3. Five or fewer lots are created that front along an existing non-NCDOT maintained road, which is paved to State standards as verified by NCDOT.
 - a. The tract where a residential structure is located will not be considered a new lot.



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B. Application Checklist for Review of Minor Subdivision

North Carolina (NC) General Statutes 153A-330 and 153A-335, and the County Subdivision Regulations require building sites or other divisions of land to be mapped by an NC Registered Land Surveyor. The map must be approved by the County and recorded in the Office of the Register of Deeds. NO ZONING, SEPTIC TANK, or BUILDING PERMIT will be issued until each newly created piece of property has been mapped, approved, and recorded. In order to properly comply with North Carolina State Law, the following items must be completed in the order outlined below:

- ___1. Contact a Planner for the County to make sure that the division of property planned is a Minor Subdivision. Call the Planning Department at (828) 465-8380 to schedule an appointment.
- ___2. Contact a registered Land Surveyor and discuss with him/her the plans. Have the surveyor prepare a map showing how the property is to be divided.
- ___3. Have the surveyor stake the corners and number each new parcel of land.
- ___4. Schedule an appointment with a Planner and bring four (4) paper copies of your survey for review. Three (3) copies are for the Planning Department review and one (1) copy is for the Environmental Health Department review.
- ___5. Visit the Catawba County Permit Center and make arrangements with them to conduct lot evaluations for wells and/or septic systems on all lots shown on the map.
- ___6. After tests have been completed by the Environmental Health Department, obtain an approval form and bring the form to the Planning Department.
- ___7. After the Planning Department has reviewed the paper copy of your subdivision plan, schedule an appointment with a Planner and bring one (1) final paper copy and one (1) final "Mylar" of your plat (recordable size 18" x 24"). A final copy must include all required corrections.
- ___8. A review fee must be paid. (cash or check made out to **Catawba County**). See Catawba County Fee Schedule for current fee.
- ___9. A recording fee must be paid. (cash or check made out to **Catawba County Register of Deeds**). This check cannot be combined with any other fees due.

Applicant Signature

Date

- ___10. A Planner will approve the map and record the mylar at the Register of Deeds office once all the above steps have been completed.

C. Minor Subdivision Plat Information Requirements

As part of the application checklist for a Minor Subdivision, a final plat is required for recordation in the Catawba County Register of Deeds Office. The final plat shall be drawn on mylar material on a sheet eighteen (18) inches by twenty-four (24) inches. Black ink is required for all signatures on the mylar. The final plat must conform to the most recent edition of G.S. 47-30 and *Standards of Practice for Land Surveying in North Carolina*. The final plat must show **all of** the following:

1. Subdivision name or current property owner
2. Name and address of landowner(s)
3. Name and address of owner's agent, if applicable
4. Name, address, North Carolina registration numbers and seals of surveyor and engineer
5. Location map showing subdivision in relation to major roads or other obvious references
6. Date of survey
7. Township and County
8. Parcel Identification Number (PIN)
9. County zoning classification
10. North arrow
11. Scale, no smaller than 1"=200', shown graphically and in text
12. Courses and distances of the perimeter of the land proposed for platting, based upon field survey
13. Total acreage of land proposed for platting
14. Acreage of each lot (excluding street right-of-ways)
15. Names of owners of adjacent property, names of adjacent subdivisions and identification of publicly owned land, if applicable
16. Names and rights-of-way widths of all streets within land proposed for platting - refer to the *Catawba County Addressing Guide* for appropriate descriptions of new streets
17. Names and rights-of-way widths of all adjacent public streets
18. Location of public water and sewer lines when abutting parcel - refer to the *Catawba County Water Extension Ordinance* to determine if connection or extension is required
19. Location and use of all existing and proposed easements including easements for drainage and utilities
20. Notation if lots are to be connected to public water and/or public sewer
21. Curve data as specified in G.S. 47-30
22. Location of points of intersection where circular curves are not used
23. Reference to at least one known point shown on the North Carolina State Plane Grid System as per G.S. 47-30
24. All property lines with bearings, arch lengths, chord lengths (indicated by dashed lines), as appropriate
25. Lots to be numbered
26. Location and type of survey markers installed within subdivision
27. For lots located in Flood Hazard Zones, the Flood Hazard Zone location, designation flood panel number and elevation where Federal Emergency Management Association (FEMA) study completed
28. Control corner(s)
29. Location of all existing structures
30. Watershed designation
31. Plat certificates (see pages 14-15)

D. Certificates for Minor Subdivision Plat

Page 1 of 2

Ownership and Dedication Certificate for Individual Owners

I (We) certify that: I am (We are) the owner(s) of the property described hereon, which property is located within the subdivision regulation jurisdiction of Catawba County, that I (We) freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat such as streets, alleys, walks, parks, open space, and easements, except those specifically indicated as private, and that I (We) will maintain all such areas until the offer of dedication is accepted by the appropriate public authority. All property shown on this plat, dedicated for public use, shall be deemed to be dedicated for any other public use authorized by law when such other use is approved by Catawba County.

Owner_____
Date_____
Owner_____
Date**OR;**Ownership and Dedication Certificate for Corporations

I (We) certify that; I am (We are) the owner(s) of the property described hereon, which property is located within the subdivision regulation jurisdiction of Catawba County, that I (We) freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat such as streets, alleys, walks, parks, open space, and easements, except those specifically indicated as private, and that I (We) will maintain all such areas until the offer of dedication is accepted by the appropriate public authority. All property shown on this plat, dedicated for a public use, shall be deemed to be dedicated for any other public use authorized by law when such other use is approved by Catawba County.

Name of Corporation

(Corporate Seal)

By (President's signature)_____
Date_____
Attest (Secretary signature)_____
Date**STATE OF NORTH CAROLINA COUNTY OF CATAWBA**

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged that (s)he is _____ Secretary of _____, a corporation, and that, by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal, and attested by _____ self as its _____ Secretary.

Witness my hand and notarial seal, this the ____ day of _____, 20__

Notary

My commission expires

(Seal)

_____, 20__

AND;Surveyors Certificate of Survey and Accuracy

I _____, certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book __, page __, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book __, page __; that the ratio of precision as calculated is 1: __; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this __ day of _____, A.D., 20 __

Seal or Stamp

Surveyor, Registration Number**AND;**

The survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

Surveyor**AND;**One of the following:Watershed Notation

The parcels of land as shown on this plat are located in the _____ watershed.

OR;Watershed Notation

The parcels of land as shown on this plat are not located in a watershed.

AND;One of the following:Flood Plain Notation

The parcels of land as shown on this plat are located in a 100-year flood plain FEMA Panel Number ____.

OR;Flood Plain Notation

The parcels of land as shown on this plat are not located in a 100-year flood plain.

AND;Approval Certificate for Minor Subdivision Plat

I certify that the subdivision plat shown has been found to comply with the Subdivision Regulations of Catawba County and is approved for recording in the Office of the Register of Deeds of Catawba County within sixty days of the date of this approval.

Director of Planning or Designee_____
Date**AND;**Review Officer Certificate

State of North Carolina, County of Catawba I, _____, Review Officer of Catawba County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer_____
Date

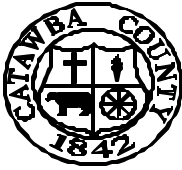
VI. MAJOR SUBDIVISION PROCEDURES/FORMS

A. Major Subdivision Definition (plat requires recordation)

A non-Family Subdivision where:

1. New roads are proposed, road rights-of-way are dedicated; or
2. Additional right-of-way is dedicated as required in chapter 514.002 of the Catawba County Code; or
3. The subdivision does not meet the definition of a Family or Minor Subdivision.

NOTE: See the *Catawba County Subdivision Ordinance* for road construction requirements for Major Subdivisions.



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B. Application Checklist for Preliminary Review of Major Subdivision Page 1 of 2

Date of Application: _____

Applicant: _____
Address: _____ Phone: _____
Owner: _____ Phone: _____
Address: _____
Engineer/Surveyor: _____ Phone: _____
Address: _____
Subdivision Name: _____ # of Lots _____
Is this a Sketch Plan: Yes ___ No ___

Submitted with this application are the following: (all items must be submitted and checked)

- ___1. Plat – Fifteen (15) paper copies of plat with all information required by the *Catawba County Manual of Practice* to County. Applicant can submit a copy to the North Carolina Department of Transportation (NCDOT) to expedite the process.
- ___2. Road profiles – Three (3) copies of road profiles to County (not required for Sketch Plan). Applicant can submit a copy to NCDOT to expedite the process.
- ___3. An approved driveway permit from the NCDOT, (not required for Sketch Plan).
- ___4. Proposed road names for Catawba County E-911 Office consideration.
- ___5. A copy of an approved Erosion Control Plan Permit from the North Carolina Department of Environment and Natural Resources (NCDENR), if applicable (not required for Sketch Plan).
- ___6. Verification of water supply: Check with the Catawba County Utilities & Engineering Department, or appropriate municipality, to see if public water is available to the subdivision (check system that is proposed).
 - ___A. Individual wells - contact the Catawba County Environmental Health Department at (828) 465-8270 for a preliminary walkover application.
 - ___B. Catawba County water system - submit a letter from Catawba County Utilities & Engineering Department regarding ability to connect.
 - ___C. Municipal water system - submit a letter from municipality regarding ability to connect. Municipality providing water service _____
 - ___D. Private water system - submit a letter from company regarding ability to connect. Company providing water service _____

- ___7. Sewage disposal: Check with the Catawba County Utilities & Engineering Department or appropriate municipality to see if public sewer is available to the subdivision (check system that is proposed).
- ___A. Individual septic systems - contact the Catawba County Environmental Health Department at (828) 465-8270 for a preliminary walkover application.
- ___B. Municipal sewer system - submit a letter from municipality regarding ability to connect - Municipality providing sewer service _____
- ___C. Private sewer system - submit a letter from company regarding ability to connect. Company providing sewer service _____
- ___8. Proposed use of property (circle those that apply): stick-built - mobile homes - modular - commercial - other (specify)_____
- ___9. Copy of Home Owners Association restrictive covenants, if applicable.
- ___10. Are private roads proposed: Yes___ No ___ (private roads are constructed to NCDOT minimum construction standards, but maintained privately).
- ___11. Filing fee. See Catawba County Fee Schedule for current fee.

All application items need to be submitted to applicable departments by the first business day of the month for that month's Subdivision Review Board (SRB) meeting. The SRB meets on the last Tuesday of each month at 3:00 PM in the Catawba County Government Center Second Floor Meeting Room or the Second Floor Conference Room as posted. Application items noted above are subject to change. It is recommended that a representative of the development attend the meeting. Please contact the Catawba County Planning and Community Development Department at (828) 465-8969 or (828) 465-8381 for current information.

Note: If applicant is not owner, then applicant to submit agreement from owner for subdivision review.

Applicant Signature

Date



CATAWBA COUNTY

P.O. Box 389 100-A South West Boulevard Newton, North Carolina 28658-0389 Telephone (828) 465-8380
http://www.catawbacountync.gov Fax (828) 465-8484

C. Application Checklist for Final Review of Major Subdivision

Page 1 of 2

Application Date: _____
Applicant: _____
Address: _____ Phone: _____
Owner: _____ Phone: _____
Address: _____
Engineer/Surveyor: _____ Phone: _____
Address: _____
Subdivision Name: _____ # of Lots _____

Submitted with this application are the following: (all items must be submitted and checked).

- ___1. All outstanding conditions corrected or addressed as stated per preliminary plat approval.
- ___2. Fifteen (15) paper copies of the final plat (size 18" x 24").
- ___3. A final plat approval letter from North Carolina Department of Transportation (NCDOT). The County will request letter from NCDOT after submittal of application to County. **Note:** NCDOT must **approve** and **sign** the mylar prior to County approval
- ___4. A final road construction approval letter from NCDOT stating that the roads are complete and constructed to State standards, or
 - ___A complete performance guarantee package in accordance with *Catawba County's Subdivision Regulations/Manual of Practice*, valid for up to one (1)-year, can be renewed per *Subdivision Ordinance*. This must include:
 - ___ A means to cover the cost (125%) of the construction improvements, this can be a Letter of Credit, a Certified Check, or a Surety Bond.
 - ___ A performance guarantee agreement completed and notarized.
 - ___ Updated construction plans to be approved by Catawba County if revised from preliminary plan.
 - ___ Executed contract from a NC Licensed Contractor **or** a per unit cost sheet submitted by a NC Professional Engineer, made assignable to the applicant and Catawba County.
 - ___ Construction schedule indicating time of initiation and completion of work.
 - ___ Performance Guarantee initial review fee. See Catawba County Fee Schedule for current fee.
5. Water Supply (check one of the following):
 - ___A. For individual on-site wells, a final approval letter from Catawba County Environmental Health.
 - ___B. For connection to a municipal water supply, a final approval letter from the municipality. This will require an as-built engineering certification for the water line, or
 - ___C. For connection to a County water line, a final approval letter from Catawba County Utilities & Engineering Department. This will require an as-built engineering certification for the water line, or

- ___D. A complete performance guarantee package in accordance with *Catawba County's Subdivision Regulations/Manual of Practice*, valid for up to one (1)-year, can be renewed per *Subdivision Ordinance*. This must include:
 - ___ A means to cover the cost (125%) of the construction improvements. This can be a Letter of Credit, a Certified Check, or a Surety Bond.
 - ___ A performance guarantee agreement completed and notarized.
 - ___ Updated construction plans to be approved by Catawba County if revised from preliminary plan.
 - ___ Executed contract from a NC Licensed Contractor **or** a per unit cost sheet submitted by a NC Professional Engineer, made assignable to the applicant and Catawba County.
 - ___ Construction schedule indicating time of initiation and completion of work.
 - ___ Performance Guarantee initial review fee. See Catawba County Fee Schedule for current fee.

- 6. Sewer/Septic (check one of the following):
 - ___A. For individual on-site septic systems, a final approval letter from Catawba County Environmental Health.
 - ___B. For connection to a municipal sewer line, a final approval letter from the municipality. This will require an as-built engineering certification for the sewer line; or
 - ___C. A complete performance guarantee package in accordance with *Catawba County's Subdivision Regulations/Manual of Practice*, valid for up to one (1)-year, can be renewed per *Subdivision Ordinance*. This must include:
 - ___ A means to cover the cost (125%) of the construction improvements. This can be a Letter of Credit, a Certified Check, or a Surety Bond
 - ___ A performance guarantee agreement completed and notarized.
 - ___ Updated construction plans to be approved by Catawba County if revised from preliminary plan.
 - ___ Executed contract from a NC Licensed Contractor **or** a per unit cost sheet submitted by a NC Professional Engineer, made assignable to the applicant and Catawba County.
 - ___ Construction schedule indicating time of initiation and completion of work.
 - ___ Performance Guarantee initial review fee. See Catawba County Fee Schedule for current fee.

- ___ 7. After the Planning Department has reviewed the paper copy of your subdivision plan, schedule an appointment with a County Planner and bring one (1) final paper copy and one (1) final "Mylar" of your plat (recordable size 18" x 24"). A final copy must include all required corrections.

- 8. Fees:
 - ___ See Catawba County Fee Schedule for current fees.
 - ___ Recording fee. This is a separate fee and is paid after the final plat is approved and ready for recordation (cash or check made out to **Catawba County Register of Deeds**).

Final subdivision plats will be reviewed administratively. The final plat will be reviewed within ten (10) working days from receipt of a **complete** final subdivision submittal. Application items noted above are subject to change. Please contact the Catawba County Planning and Community Development Department at (828) 465-8969 or (828) 465-8381 for current information.

Applicant Signature

Date

D. Major Subdivision Preliminary Plat Information Requirements

As part of the application checklist for a Major Subdivision, twelve (12) copies of the preliminary plat are required for review by the Catawba County Subdivision Review Board. The preliminary plat shall be on a sheet eighteen (18) by twenty-four (24) inches. The plat must show **all of** the following:

1. Subdivision name or current property owner
2. Name and address of land owner(s)
3. Name and address of owner's agent, if applicable
4. Name, address, North Carolina registration numbers and seals of surveyor and engineer
5. Location map showing subdivision in relation to major roads or other obvious references
6. Date of survey
7. Township and County
8. Parcel Identification Number (PIN)
9. County zoning classification
10. North arrow
11. Scale, no smaller than 1" = 200', shown graphically and in text
12. Location and use of all existing and proposed easements including easements for drainage and utilities
13. Location, widths of rights-of-way, width of paving, and the names of all proposed streets
14. Location of public water and sewer lines when abutting parcel
15. Dimensions of all lot lines
16. Location of all utilities installations
17. Total acreage of land proposed for platting
18. Acreage of each lot (excluding street right-of-ways)
19. Any sites proposed to be dedicated or reserved for public purposes
20. Planting location for trees, if applicable (see Catawba County Zoning Matrix, Table 515-2C)
21. Reference to at least one known point shown on the North Carolina State Plane Grid System as per G.S 47-30
22. Courses and distances of the perimeter of the land proposed for platting, based on field survey
23. Identification of land within 100-year flood plain per Federal Emergency Management Association (FEMA)
24. Major physical features of site, including existing wetlands, drainage ways, and existing structures
25. Names of owners of adjacent properties, names of adjacent subdivisions and identification of publicly owned land
26. Designation of area used for open-space and acreage used for open-space if reviewed as a cluster subdivision
27. Names, rights-of-way widths and pavement widths of all adjacent public streets
28. Watershed designation
29. Topographic detail

As part of the application checklist for a Major Subdivision, a final plat is required for recordation in the Catawba County Register of Deeds Office. The final plat shall be drawn on mylar material on a sheet eighteen (18) inches by twenty-four (24) inches. Black ink is required for all signatures on the mylar. The final plat must conform to the most recent edition of G.S. 47-30 and *Standards of Practice for Land Surveying in North Carolina*. The final plat must show **all of** the following:

1. Subdivision name or current property owner
2. Name and address of landowner(s)
3. Name and address of owner's agent, if applicable
4. Name, address, North Carolina registration numbers and seals of surveyor and engineer
5. Location map showing subdivision in relation to major roads or other obvious references
6. Date of survey
7. Township and County
8. Parcel Identification Number (PIN)
9. County zoning classification
10. North arrow
11. Scale, no smaller than 1"=200', shown graphically and in text
12. Courses and distances of the perimeter of the land proposed for platting, based upon field survey
13. Total acreage of land proposed for platting
14. Acreage of each lot (excluding street right-of-ways)
15. Names of owners of adjacent property, names of adjacent subdivisions and identification of publicly owned land, if any
16. Names and rights-of-way widths of all streets within land proposed for platting - refer to the *Catawba County Addressing Guide* for appropriate descriptions of new streets
17. Names and rights-of-way widths of all adjacent public streets
18. Location and use of all existing and proposed easements including easements for drainage and utilities
19. Notation if lots are to be connected to public water and/or public sewer
20. Location, widths of rights-of-way, width of pavement and the names of all proposed streets
21. Location of public water and sewer lines when abutting parcel - refer to the *Catawba County Water Extension Ordinance* to determine if connection or extension is required
22. Any sites proposed for dedication or reservation for public purposes
23. Curve data as specified in G.S. 47-30
24. Location of points of intersection, where circular curves are not used
25. All property lines with bearings or deflection angles, arch lengths, chord lengths (indicated by dashed lines), as appropriate
26. Lots to be numbered
27. Location and type of survey markers installed within subdivision
28. For lots located in Flood Hazard Zones, the Flood Hazard Zone location, designation flood panel number and elevation where Federal Emergency Management Association (FEMA) study completed
29. Control corner(s)
30. Location of all existing structures

31. Dimensions of all lot lines
32. Location of monuments, benchmark and markers installed within subdivision
33. Any sites proposed to be dedicated or reserved for public purposes
34. Planting location for trees, if applicable (see Catawba County Zoning Matrix, Table 515-2C)
35. Reference to at least one known point shown on the North Carolina State Plane Grid system as per G.S 47-30
36. Courses and distances of the perimeter of the land proposed for platting, based on field survey
37. For lots located in Flood Hazard Zones, the Flood Hazard Zone location, designation flood panel number and elevation where Federal Emergency Management Association (FEMA) study completed
38. Major physical features of site, including existing wetlands, drainage ways, and existing structures
39. Designation of area used for open-space and acreage used for open-space if reviewed as a cluster subdivision
40. Watershed designation
41. Plat certificates (see pages 24-26)

F. Certificates for Major Subdivision Plat

Page 1 of 3

One of the following:Ownership and Dedication Certificate for Individual Owners

I (We) certify that; I am (We are) the owner(s) of the property described hereon, which property is located within the subdivision regulation jurisdiction of Catawba County, that I (We) freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat such as streets, alleys, walks, parks, open space, and easements, except those specifically indicated as private, and that I (We) will maintain all such areas until the offer of dedication is accepted by the appropriate public authority. All property shown on this plat, as dedicated for a public use, shall be deemed to be dedicated for any other public use authorized by law when such other use is approved by Catawba County.

Owner_____
Date_____
Owner_____
Date**OR;**Ownership and Dedication Certificate for Corporations

I (We) certify that; I am (We are) the owner(s) of the property described hereon, which property is located within the subdivision regulation jurisdiction of Catawba County, that I (We) freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat such as streets, alleys, walks, parks, open space, and easements, except those specifically indicated as private, and that I (We) will maintain all such areas until the offer of dedication is accepted by the appropriate public authority. All property shown on this plat, dedicated for a public use, shall be deemed to be dedicated for any other public use authorized by law when such other use is approved by Catawba County.

Name of Corporation

(Corporate Seal)

By (President's signature)_____
Date_____
Attest (Secretary signature)_____
Date**STATE OF NORTH CAROLINA COUNTY OF CATAWBA**

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged that (s)he is _____ Secretary of _____, a corporation, and that, by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal, and attested by _____ self as its _____ Secretary.

Witness my hand and notarial seal, this the ____ day of _____, 20__

Notary

My commission expires

(Seal)

_____, 20__

AND;Public Plat Declaration

All roads in this subdivision are hereby declared public. The maintenance of all streets and roads in this subdivision shall be the responsibility of _____ and it shall be their responsibility to bring such streets up to the standards of the North Carolina Department of Transportation before any streets on this plat are added into the North Carolina State Highway System. Where a road has been offered for public dedication, that offer may not be withdrawn from public dedication without prior review and approval from the Catawba County Subdivision Review Board.

Owner/Subdivider_____
Date**AND;**

STATE OF NORTH CAROLINA COUNTY OF CATAWBA

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the ____ day of _____, 20__

Notary

My commission expires

(Seal)

_____, 20__

AND;Surveyors Certificate of Survey and Accuracy

I _____, certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book __, page __, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book __, page __; that the ratio of precision as calculated is 1: __; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this __ day of _____, A.D., 20__

Seal or Stamp_____
Surveyor, Registration Number**AND;**

The survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

Surveyor**AND;**One of the following:Watershed Notation

The parcels of land as shown on this plat are located in the _____ watershed.

OR;Watershed Notation

The parcels of land as shown on this plat are not located in a watershed.

AND;**One of the following:****Flood Plain Notation**

The parcels of land as shown on this plat are located in a 100-year flood plain FEMA Panel Number____.

OR;**Flood Plain Notation**

The parcels of land as shown on this plat are not located in a 100-year flood plain.

AND;**Approval Certificate for Major Subdivision Plat**

This final plat and the street names shown have been found to comply with the Subdivision Regulations of Catawba County and were approved by the Catawba County Planning Director or his/her designee. All streets, utilities and other required improvements have been installed according to specifications and standards, or a guarantee of the installation of the required improvements in an amount and manner satisfactory to Catawba County has been received. This plat is approved for recording in the Office of the Register of Deeds of Catawba County within sixty (60) days of the date of this approval.

Director of Planning or Designee_____
Date**AND;****Review Officer Certificate**

State of North Carolina, County of Catawba I, _____, Review Officer of Catawba County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer_____
Date

VII. EXEMPT FROM SUBDIVISION LAND DIVISION (plat does not require recordation and is not subject to the Subdivision Regulations)

NOTE: Exempt From Subdivision Land Division situations will need to be evaluated on an individual basis for determination of compliance. Although an Exempt From Subdivision Land Division may be exempt from subdivision review, any new parcels created will have to be evaluated by the appropriate agencies before new permits can be issued.

There are times when dividing or recombining land does not fall under the definition of Subdivision. These cases are not subject to *Catawba County Subdivision Regulations* and a recorded mylar plat is not required.

When the County reviews a parcel for Exempt From Subdivision Land Division, only legally created lots will be considered. There are instances where a lot was created by deed only (without a recorded plat), when a recorded plat was required. In this case the deeded lot is not considered a legal zoning lot, therefore, this lot would not be included for review as an Exempt From Subdivision Land Division until the Ordinance requirements were met.

- A. Exempt From Subdivision Land Division Examples (by NC General Statutes)**
1. The Combination or Recombination of Land - The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County.
 2. The division of land into parcels greater than ten acres where no street right-of-way dedication is involved.
 3. The division of a tract in single ownership, the entire area of which is no greater than two acres, into not more than three lots, if no street right-of-way dedication is involved **and** where the resultant lots are equal to or exceed the standards of the county.

NOTE: In number 2 and 3 above, the phrase “where no street right-of-way dedication is involved” shall mean that any such parcel shall be served by an existing legal right-of-way. A legal right-of-way can be any easement, State-maintained road, dedicated right-of-way, or prescriptive easement provided the individual submits satisfactory evidence of the easement. Such easements, with the exception of NCDOT maintained roads, must have existed at the time the section 514.002 of the Catawba County Code was adopted on June 19, 1989.

Exempt From Subdivision Land Division (by NC Court Case)

4. Estate Settlement - The conveyance of a lot or tract for the purpose of dividing lands among the tenants in common all of whom, by intestacy or by will, inherited the land from a common ancestor.

[For court case reference see: Williamson v. Avant, 21 N.C.App. 211, 203 S.E.2d 634, cert. denied, 285 N.C. 596 \(1974\)](#)

B. Recording Exempt From Subdivision Land Division

There are three (3) ways to pursue recording an Exempt From Subdivision Land Division:

1. New Deed

If the land falls under the Exempt From Subdivision Land Division category, a new deed describing the property recorded with the County Register of Deeds will be the minimum required information needed to document the parcels. A new deed will refer to a survey.

In the case when a new deed **only** (without a recorded mylar) is recorded describing an Exempt From Subdivision Land Division, it is helpful for the new deed to specify the intent of the deed. For example, for a recombination of land, the deed could contain the wording “The purpose of this deed is to combine a portion of (Deed Book & Page Number or PIN Number) tract together with the existing (Deed Book & Page Number or PIN Number) tract as shown on the survey dated _____”. The owners of the property releasing the portion of land, as well as the property owners receiving the portion to be combined with their existing land, must be the same in order to transfer property ownership and to review the recombination as a valid zoning lot.

2. Map Attached to New Deed (optional)

Although not required, a paper copy of the survey can be attached to a new deed and recorded along with the deed. Maps attached to deed must be no larger than 8-1/2 inches by 14 inches. This can be helpful in identifying the parcels when a mylar plat is not recorded. If a map attached to a deed is desired, then the Planning Department can sign the map with a Review Officer’s signature, which will permit recordation of the map attached to the deed with the Register of Deeds Office. One of the two (2) items below will need to be in place in order for the Review Officer to sign:

- a. The paper map to contain a surveyor’s original signature and seal.
- b. The paper map is a map, already on file in the public records that is certified by the custodian of the public record to be a true and accurate record copy of a map bearing the original personal signature and original seal.

The Review Officer is not required to sign the map attachment if it contains the following statement:

“This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations”

3. Mylar (optional)

Even though a mylar plat is not required, it is permissible. If you want a mylar plat recorded with the County Register of Deeds, then specific certificates and items will need to appear on the plat before the Planning Department can sign the plat. Exempt From Subdivision Land Division plats will conform to the latest version of G.S. 47-30 and *Standards of Practice for Land Surveying in North Carolina*.

If a mylar plat is made showing a recombination of land, then land hook symbols, along with the wording indicating that the portion is to be combined **BY DEED** with the relevant PIN number must also be included on the map. All owners involved in the recombination will need to sign the mylar. This includes both the property owner transferring the portion of land as well as the property owner receiving the portion to be combined with their existing land. **After the mylar map is recorded, a new deed must be recorded referring to the recorded mylar in order to transfer property ownership and to review the recombination as a valid zoning lot.**

A review fee must be paid. See Catawba County Fee Schedule for current fee. Additionally, a recording fee is required at the Register of Deeds office.

C. Certificates for Exempt From Subdivision Land Division Plat

Page 1 of 2

Ownership Certificate for Exempt from Subdivision Land Division Plat

I (We) certify that I am (We are) the owner(s) of the property described hereon, which property is located within the jurisdiction of Catawba County.

Owner

Date

AND;

STATE OF NORTH CAROLINA COUNTY OF CATAWBA

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the ____ day of _____, 20__

Notary

My commission expires

_____, 20__

(Seal)

AND;

One of the following:

The survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.

Surveyor

OR;

The survey is of an existing building or other structure, or natural feature, such as a watercourse.

Surveyor

OR;

The survey is a control survey.

Surveyor

OR;

The survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision.

Surveyor

AND;

Surveyors Certificate of Survey and Accuracy

I _____, certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book __, page __, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book __, page __; that the ratio of precision as calculated is 1: __; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this ____ day of _____, A.D., 20__

Seal or Stamp

Surveyor, Registration Number

| | |
|---|--|
| AND; | |
| <p><u>One</u> of the following:</p> <p><u>Watershed Notation</u></p> <p>The parcels of land as shown on this plat are located in the _____ watershed.</p> <p style="text-align: center;">OR;</p> <p><u>Watershed Notation</u></p> <p>The parcels of land as shown on this plat are not located in a watershed.</p> | |
| AND; | |
| <p><u>One</u> of the following:</p> <p><u>Flood Plain Notation</u></p> <p>The parcels of land as shown on this plat are located in a 100-year flood plain FEMA Panel Number ____.</p> <p style="text-align: center;">OR;</p> <p><u>Flood Plain Notation</u></p> <p>The parcels of land as shown on this plat are not located in a 100-year flood plain.</p> | |
| AND; | |
| <p><u>One</u> of the following:</p> <p><u>Approval Certificate for Exempt from Subdivision Plat</u></p> <p>I certify that to the best of my ability I have determined that the plat shown heron is exempt from Catawba County Subdivision Regulations.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%;"> <p>_____ Director of Planning or Designee</p> </div> <div style="width: 35%;"> <p>_____ Date</p> </div> </div> <p style="text-align: center;">OR;</p> <p><u>Approval Certificate for Exempt from Subdivision Land Division Plat</u></p> <p>I certify that to the best of my ability I have determined that the plat shown hereon represents a division of land that is exempt from Catawba County Subdivision Regulations.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%;"> <p>_____ Director of Planning or Designee</p> </div> <div style="width: 35%;"> <p>_____ Date</p> </div> </div> <p style="text-align: center;">OR;</p> <p><u>Approval Certificate for Recombination of Land Plat</u></p> <p>I certify that to the best of my ability I have determined that the plat shown hereon is exempt from Catawba County Subdivision Regulations. This plat involves the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County as shown in the Subdivision Ordinance.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%;"> <p>_____ Director of Planning or Designee</p> </div> <div style="width: 35%;"> <p>_____ Date</p> </div> </div> <p style="text-align: center;">OR;</p> <p><u>Approval Certificate for Revision Plat</u></p> <p>I certify that this plat is exempt from Catawba County Subdivision Regulations due to a revision to an existing subdivision, which is recorded in Plat Book ____ Page ____</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%;"> <p>_____ Director of Planning or Designee</p> </div> <div style="width: 35%;"> <p>_____ Date</p> </div> </div> | |
| AND; | |
| <p><u>Review Officer Certificate</u></p> <p>State of North Carolina, County of Catawba I, _____, Review Officer of Catawba County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%;"> <p>_____ Review Officer</p> </div> <div style="width: 35%;"> <p>_____ Date</p> </div> </div> | |

VIII. IMPROVEMENTS

A. Water Supply Systems

1. Individual Private Wells

Prior to final plat approval, an approval is required from the Catawba County Environmental Health Department that each lot is approved for an individual well.

2. County Water Lines

Refer to the Catawba *County Subdivision Ordinance* and the *Catawba County Water Extension Ordinance*, adopted November 19, 2001 to determine if connection or extension is required. If connection or extension is required or proposed, the Planning Department must receive a letter from Catawba County's Utility and Engineering Department regarding the ability to connect prior to the preliminary plat review.

Prior to final plat approval, the developer must provide a letter from the County Utilities and Engineering Department regarding final approval.

3. Municipal Water Systems

If the subdivision is outside a municipality's zoning area, but proposes to tie into their water system, the SRB must receive a letter from the Manager of the Municipality or Public Works Director no later than ten (10) days before the meeting at which the preliminary plat is to be reviewed, stating that the connection is feasible as proposed and has the municipality's official approval. The developer is responsibility for obtaining the letter.

Prior to final plat approval, the developer must provide a letter from the municipality stating the water system has been installed to the municipality's requirements and each lot is ready for connection.

4. Community Water Systems

When public water is not available, and a community water system is proposed, prior to preliminary plat review, the developer must provide an approval letter from the North Carolina Department of Environment and Natural Resources (NCDENR), stating the developer has met the State's requirements prior to the installation of the system.

Prior to final plat approval the developer must provide a letter stating the water system has been installed to each lot and meets the requirements of the North Carolina Department of Human Resources, Division of Health Services, Community Well and Public Water Supply Branch.

NOTE: For purposes of determining lot density, community water systems are not considered public water systems.

B. Sewage Disposal Systems

NOTE: Any proposed sewage disposal system must be approved by the applicable agency prior to final plat approval.

1. Individual Private Septic Systems

If septic tanks are proposed, a preliminary plat must be submitted to the County Environmental Health Office. The Subdivision Review Board (SRB) must receive a report relating to soil suitability no later than ten (10) days before the date of the preliminary plat review. The developer is responsible for obtaining the letter. Contact the Catawba County Department of Environmental Health at (828) 465-8270. Soil tests should be made well before the ten (10) day limit so that if the plat needs to be modified, there will be time for changes and still meet the requirement that the preliminary plat be submitted with an approved sewage disposal system no later than ten (10) days before the SRB meeting at which it is to be considered.

Prior to final plat approval, an approval is required from the Catawba County Environmental Health Department stating that each lot is approved for an individual septic system.

2. Municipal Sewer System

If the subdivision is outside a municipality's zoning area, but proposes to tie into their sewage disposal system, the SRB must receive a letter from the Manager of the Municipality or Public Works Director no later than ten (10) days before the meeting at which the preliminary plat is to be reviewed, stating that the connection is feasible as proposed and has the municipality's official approval. The developer is responsible for obtaining the letter.

Prior to final plat approval, the developer must provide a letter from the municipality stating the sewer system has been installed to the municipality's requirements and each lot is ready for connection.

3. Package Treatment Systems

When a subdivision cannot be served by an existing sanitary sewer system and service with a package treatment plant is proposed, the developer must obtain a letter from the North Carolina Department of Environment and Natural Resources (NCDENR) stating that the proposed system meets their requirements prior to preliminary plat approval. The letter must be received by the Planning Department at least ten (10) days prior to the SRB meeting at which the plat is to be considered.

Prior to final plat approval, the developer must provide a letter from NCDENR stating that the package treatment system has been installed in accordance with the State's requirements and each lot is ready for connection.

NOTE: For purposes of determining lot density, package treatment systems are not considered public systems.

C. Roads

All Major Subdivision roads shall be constructed in accordance with the latest edition of *Subdivision Roads Minimum Construction Standards*, issued by the Division of Highways, North Carolina Department of Transportation (NCDOT). Paving standards are included as one of NCDOT's requirements. Driveway connections (permits) to existing State roads and road plans (profiles) for new roads must be approved by the NCDOT District Highway Engineer.

1. Public Roads

Roads that are dedicated to the public that will be petitioned to become State maintained are required to be approved by NCDOT prior to plat approval, or a complete performance guarantee package in accordance with *Catawba County's Subdivision Regulations/Manual of Practice*. NCDOT must approve and sign the mylar prior to County approval for all roads intended to be State maintained.

2. Private Roads

Neighborhood Private Roads are permitted in subdivision developments when approved by the Subdivision Review Board. The roads are not dedicated to the public nor reviewed or approved by the North Carolina Department of Transportation (NCDOT), but will require an approved driveway connection permit from NCDOT. Referring to Section 514.031 (B) (1) (e) of the Subdivision Ordinance, it will be up to the developer to verify that the Neighborhood Private Road is designed and built to the NCDOT "Subdivision Roads Minimum Construction Standards" as verified by a licensed North Carolina Professional Engineer (NCPE).

Prior to approving the final subdivision, the County will require a written certification, signed and sealed by a licensed NCPE that the roads meet NCDOT "Subdivision Roads Minimum Construction Standards". This will also involve submitting as-built road plans to the County. In order to obtain this certification it is encouraged that a NCPE be involved with the subdivision project from the onset which may include the road design phase. This may involve a NCPE to be on-site before any construction begins. It may also require periodic inspections by a NCPE during construction. I.e., before pavement is constructed, the NCPE may need to inspect the stone base, etc. If a NCPE's first inspection is after the pavement is in place, then he/she may not be able to verify the completed road. The County may do periodic inspections as well, but **does not** certify construction standards.

Verification of Construction Standards for Neighborhood Private Roads

Typical sequence of road construction. (This list does not claim to be all-inclusive. Your NCPE may require additional items):

- a. Obtain a driveway connection permit from NCDOT.
- b. Submit road plans (profiles) to Catawba County.
- c. Have your NCPE verify rough grading. This may involve a nuclear density test to verify the compactness of the soil. This may require that your NCPE be available on-site before or while grading is taking place.
- d. Have your NCPE verify that the stone base meets NCDOT specifications for depth and compactness. This may involve a nuclear density test to verify the compactness of the stone base.
- e. Call the County for a site inspection.
- f. Have your NCPE verify surface (paving). This may require that your NCPE be available on-site before or while paving is applied.
- g. After construction is complete, have your NCPE submit a report certifying the sub-grade, base and surface with the results and method of obtaining the results for the entire road and that the road meets NCDOT minimum construction standards including the seeding and stabilization of ditches.
- h. The County will then do a final site inspection.

D. Erosion and Sedimentation Controls

The North Carolina Sedimentation Pollution Control Act of 1973, N.C. G.S. 113A-50-66, requires projects disturbing more than one (1) acre of land to have an Erosion Control Plan approved by the North Carolina Department of Environment and Natural Resources. A letter from the North Carolina Department of Environment and Natural Resources (NCDENR) that an Erosion Control Plan has been submitted to the State is required prior to the County Subdivision Review Board approving a preliminary plat. The Subdivision Review Board can grant a conditional approval of a preliminary plat provided that an approval letter from NCDENR for an Erosion Control Plan is received within 90 days. A letter from the NCDENR stating that the subdivision is in compliance with its regulations is required before final plat approval is granted.

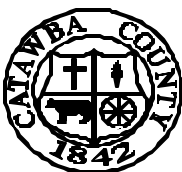
E. Storm Water Drainage

For final plat approval, a copy of an as-built plan or certification from a North Carolina registered professional will be required verifying that the storm drainage system was inspected during construction and was constructed in substantial conformity with the approved plans and specifications. A registered professional is defined as:

1. A North Carolina Professional Engineer; or
2. A Landscape Architect, as defined in General Statute, Chapter 89A; or
3. A Registered Land Surveyor as provided in General Statutes 89C-3(7) and the guidelines prepared by the NC State Board of Registration for Professional Engineers and Land Surveyors.

F. Municipality Approval of Utility Installation

County subdivisions served by municipal utility lines, are required to complete the Municipality Approval of Utility Installation form (p.35) or submit an approval letter from the municipality.



CATAWBA COUNTY

P.O. Box 389 100-A South West Boulevard Newton, North Carolina 28658-0389 Telephone (828) 465-8380
http://www.catawbacountync.gov Fax (828) 465-8484

Municipality Approval of Utility Installation

The developer _____ is requesting a final approval of the _____ subdivision in Catawba County. One of the conditions for final approval involves a completed utility installation for public (water/sewer) lines. Would you please verify that the installation of

_____ is complete to your standards by completing the form below and sending it back to Catawba County at the above address.

Thank you for your assistance.

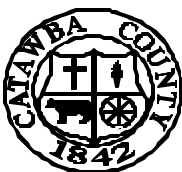
Municipality _____

Type of Improvements completed _____

Approving authority Name/Title _____

Approving authority signature _____

Date of completion _____



CATAWBA COUNTY

P.O. Box 389 100-A South West Boulevard Newton, North Carolina 28658-0389 Telephone (828) 465-8380
http://www.catawbacountync.gov Fax (828) 465-8484

A. Performance Guarantee Agreement for Corporation

Page 1 of 2

STATE OF NORTH CAROLINA, COUNTY OF CATAWBA

THIS AGREEMENT MADE AND ENTERED INTO this the ____ day of _____, 20____, by _____ (Subdivider) hereinafter known as "Subdivider", and between the Catawba County Director of Planning and Development, hereinafter known as "Director", which Director is also a duly constituted agent of Catawba County.

WITNESSETH

WHEREAS, Subdivider is attempting to secure from Director, approval of a Final Plat of a proposed subdivision to be known as the _____ Subdivision, located in Catawba County, North Carolina; and

WHEREAS, a County Ordinance entitled Subdivision Regulations of Catawba County, as adopted by the Board of Commissioners of Catawba County on the 1st day of February, 1988, (and as subsequently amended), requires the completion of certain improvements prior to Final Plat approval by Director; and

WHEREAS, the Ordinance also allows Director, at his/her discretion, to permit Subdivider to provide one of the following: (circle one that applies)

1. A Certified Check or Cash
2. A Letter of Credit
3. A Surety Bond

To be held in escrow with the County Manager as escrow agent, with Catawba County through Director to guarantee the completion of the required improvements; and

WHEREAS, Director desires to approve said Final Plat and, in lieu of requiring completion of all improvements prior to approval, will accept from Subdivider the filing of all improvements prior to approval, a certified check / letter of credit / surety bond (circle one that applies) from _____ Bank to guarantee and secure completion of said improvements.

THE PARTIES AGREE TO THE FOLLOWING:

1. Subdivider shall on or before the ____ day of _____, 20____, complete as required the following improvements in the _____Subdivision:

2. Subdivider shall file with Catawba County through the Director of Planning and Development, a certified check / letter of credit / surety bond (circle one that applies) in the amount of _____ securing and guaranteeing completion of the improvements by the required date; and Director has, by appropriate action, caused this Agreement to be reviewed for approval by the County Attorney, and the Corporation has, by appropriate action of its Board of Directors, caused this Agreement to be executed by its _____ President, and attested by its _____Secretary under corporate seal, this the _____day of _____, 20____.

County Attorney

By: _____
Director of Planning and Development

By: _____
President

Attest: _____
Secretary

STATE OF NORTH CAROLINA COUNTY OF CATAWBA

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged that (s)he is _____ Secretary of _____, a corporation, and that, by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal, and attested by _____ self as its _____ Secretary.
Witness my hand and notarial seal, this the ____day of _____, 20____

Notary
My commission expires

_____, 20____ (Seal)

Address and telephone number of Subdivider/Owner:

Address: _____ Telephone: (____)_____



CATAWBA COUNTY

P.O. Box 389 100-A South West Boulevard Newton, North Carolina 28658-0389 Telephone (828) 465-8380
http://www.catawbacountync.gov Fax (828) 465-8484

B. Performance Guarantee Agreement for LLC

Page 1 of 2

STATE OF NORTH CAROLINA, COUNTY OF CATAWBA

THIS AGREEMENT MADE AND ENTERED INTO this the ____ day of _____, 20____, by _____ (Subdivider) hereinafter known as "Subdivider", and between the Catawba County Director of Planning and Development, hereinafter known as "Director", which Director is also a duly constituted agent of Catawba County.

WITNESSETH

WHEREAS, Subdivider is attempting to secure from Director, approval of a Final Plat of a proposed subdivision to be known as the _____ Subdivision, located in Catawba County, North Carolina; and

WHEREAS, a County Ordinance entitled Subdivision Regulations of Catawba County, as adopted by the Board of Commissioners of Catawba County on the 1st day of February, 1988, (and as subsequently amended), requires the completion of certain improvements prior to Final Plat approval by the Director; and

WHEREAS, the Ordinance also allows Director, at his/her discretion, to permit Subdivider to provide one of the following: (circle one that applies)

1. A Certified Check or Cash
2. A Letter of Credit
3. A Surety Bond

To be held in escrow with the County Manager as escrow agent, with Catawba County through Director to guarantee the completion of the required improvements; and

WHEREAS, Director desires to approve said Final Plat and, in lieu of requiring completion of all improvements prior to approval, will accept from Subdivider the filing of all improvements prior to approval, a certified check / letter of credit / surety bond (circle one that applies) from _____ Bank to guarantee and secure completion of said improvements.

THE PARTIES AGREE TO THE FOLLOWING:

1. Subdivider shall on or before the ____ day of _____, 20____, complete as required the following improvements in the _____ Subdivision:

2. Subdivider shall file with Catawba County through the Director of Planning and Development, a certified check / letter of credit / surety bond (circle one that applies) in the amount of _____ securing and guaranteeing completion of the improvements by the required date; and Director has, by appropriate action, caused this Agreement to be reviewed for approval by the County Attorney, and the company has, by appropriate action of its Members or Managers, caused this Agreement to be approved and to be executed by a Member or Manager. This the ____ day of _____, 20____.

County Attorney

By: _____
Director of Planning & Development

By: _____
Member/Manager

STATE OF NORTH CAROLINA COUNTY OF CATAWBA

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the ____ day of _____, 20____

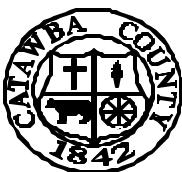
Notary
My commission expires

(Seal)

_____, 20__

Address and telephone number of Subdivider/Owner:

Address: _____ Telephone: (____) _____



CATAWBA COUNTY

P.O. Box 389 100-A South West Boulevard Newton, North Carolina 28658-0389 Telephone (828) 465-8380
http://www.catawbacountync.gov Fax (828) 465-8484

C. Performance Guarantee Agreement for Individual

Page 1 of 2

STATE OF NORTH CAROLINA, COUNTY OF CATAWBA

THIS AGREEMENT MADE AND ENTERED INTO this the ____ day of _____, 20____, by _____ (Subdivider) hereinafter known as "Subdivider", and between the Catawba County Director of Planning and Development, hereinafter known as "Director", which Director is also a duly constituted agent of Catawba County.

WITNESSETH

WHEREAS, Subdivider is attempting to secure from Director, approval of a Final Plat of a proposed subdivision to be known as the _____ Subdivision, located in Catawba County, North Carolina; and

WHEREAS, a County Ordinance entitled Subdivision Regulations of Catawba County, as adopted by the Board of Commissioners of Catawba County on the 1st day of February, 1988, (and as subsequently amended), requires the completion of certain improvements prior to Final Plat approval by Director; and

WHEREAS, the Ordinance also allows Director, at his/her discretion, to permit Subdivider to provide one of the following: (circle one that applies)

1. A Certified Check or Cash
2. A Letter of Credit
3. A Surety Bond

To be held in escrow with the County Manager as escrow agent, with Catawba County through Director to guarantee the completion of the required improvements; and

WHEREAS, Director desires to approve said Final Plat and, in lieu of requiring completion of all improvements prior to approval, will accept from Subdivider the filing of all improvements prior to approval, a certified check / letter of credit / surety bond (circle one that applies) from _____ Bank to guarantee and secure completion of said improvements.

THE PARTIES AGREE TO THE FOLLOWING:

1. Subdivider shall, on or before the ____ day of _____, 20____, complete as required the following improvements in the _____ Subdivision:

2. Subdivider shall file with Catawba County through the Director of Planning and Development, a certified check / letter of credit / surety bond (circle one that applies) in the amount of _____ securing and guaranteeing completion of the improvements by the required date; and Director has, by appropriate action, caused this Agreement to be reviewed for approval by the County Attorney and caused this Agreement to be executed this the ____ day of _____, 20____.

County Attorney

By: _____
Director of Planning & Development

Subdivider/Owner

STATE OF NORTH CAROLINA COUNTY OF CATAWBA

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the ____ day of _____, 20____

Notary
My commission expires

(Seal)

_____, 20____

Address and telephone number of Subdivider/Owner:

Address: _____ Telephone: (____) _____

D. "Sample" No Contest Irrevocable Letter of Credit

Page 1 of 2

(To be typed on Bank's letterhead)

STATE OF NORTH CAROLINA, COUNTY OF _____

IRREVOCABLE LETTER OF CREDIT NO. _____

(Name of Bank)

Address: _____ (Including branch, if any)

Date: _____

TO: CATAWBA COUNTY
C/O COUNTY MANAGER
PO BOX 389
NEWTON, NC 28658

(SEAL)

Sir:

We hereby open our irrevocable credit in your favor by your drafts at sight on us for a sum not exceeding \$_____ for the account of _____ hereinafter known as "Customer". When presented for negotiation, drafts must be accompanied by the signed statement of the Catawba County Manager that drawing is due to default or failure to perform by Customer, the following improvements in the _____ Subdivision on or before the __ day of _____, 20 __.

List improvements here:

The term of this irrevocable credit is either through and including the __ day of _____, 20__ or upon written notice from the Catawba County Manager that the required improvements have been timely completed, whichever is earlier.

Acting through the Catawba County Manager, you will notify us when either of the following occurs:

1. The required improvements have been timely completed and the credit may be released; or
2. The Customer has failed to perform or is in default thereunder. All drafts drawn hereunder must be marked as follows:

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof, and the presentation of any such draft shall be a warranty by the negotiating bank that such endorsement has been made.

This Letter of Credit shall be transferable and/or assignable to only Catawba County.

This Letter of Credit, except as otherwise expressly provided herein, is governed by the Uniform Commercial Code in force in the State of North Carolina on the date hereof.

Very truly yours,

(Name of Bank)

Address of Catawba County Office

BY: _____
(Authorized Signature)